



P&Z STAFF REPORT
Board of Appeals Hearing; March 09, 2017

Case: V17-0017 – 5190 Vernon Springs Trail

Staff: Andy Mendzef (amendzef@sandyspringsga.gov)

Contact:

Report Date: February 14, 2017

REQUEST
Variance from Section 6.3.3.D. of the City of Sandy Springs Zoning Ordinance to encroach ten (10) feet into the required (40) foot rear yard setback to allow for the construction of a second story addition to an existing single-family residence.

APPLICANT			
<table><tr><td>Property Owner: Peter and Gillian Harper</td><td>Petitioner: Rick Bizot</td><td>Representative: Rick Bizot</td></tr></table>	Property Owner: Peter and Gillian Harper	Petitioner: Rick Bizot	Representative: Rick Bizot
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PROPERTY INFORMATION	
Location:	5190 Vernon Springs Trail
Council District:	6; Bauman
Road frontage:	Approximately 160 feet along Vernon Springs Trail and 205 along Vernon Springs Court
Acreage:	0.657 acre
Existing Zoning:	R-2A (Single Family Dwelling District)
Existing Land Use:	Single Family Dwelling
Overlay District:	N/A
Special Planning Area:	N/A
Future Land Use Designation:	R1-2 (1-2 units per acre)

SUMMARY
The applicant is requesting this variance to encroach 10 feet into the required 40-foot rear yard setback or within 30 feet of the property line to allow for the construction of a second floor addition to the existing residence. The subject property is located in the southwest corner of Vernon Springs Trail and Vernon Springs Court. The site is developed with a 3,449 square foot single-family residence, attached garage and accessory uses. The planned project is to construct a 600 square foot second floor addition that would be comprised of two bedrooms

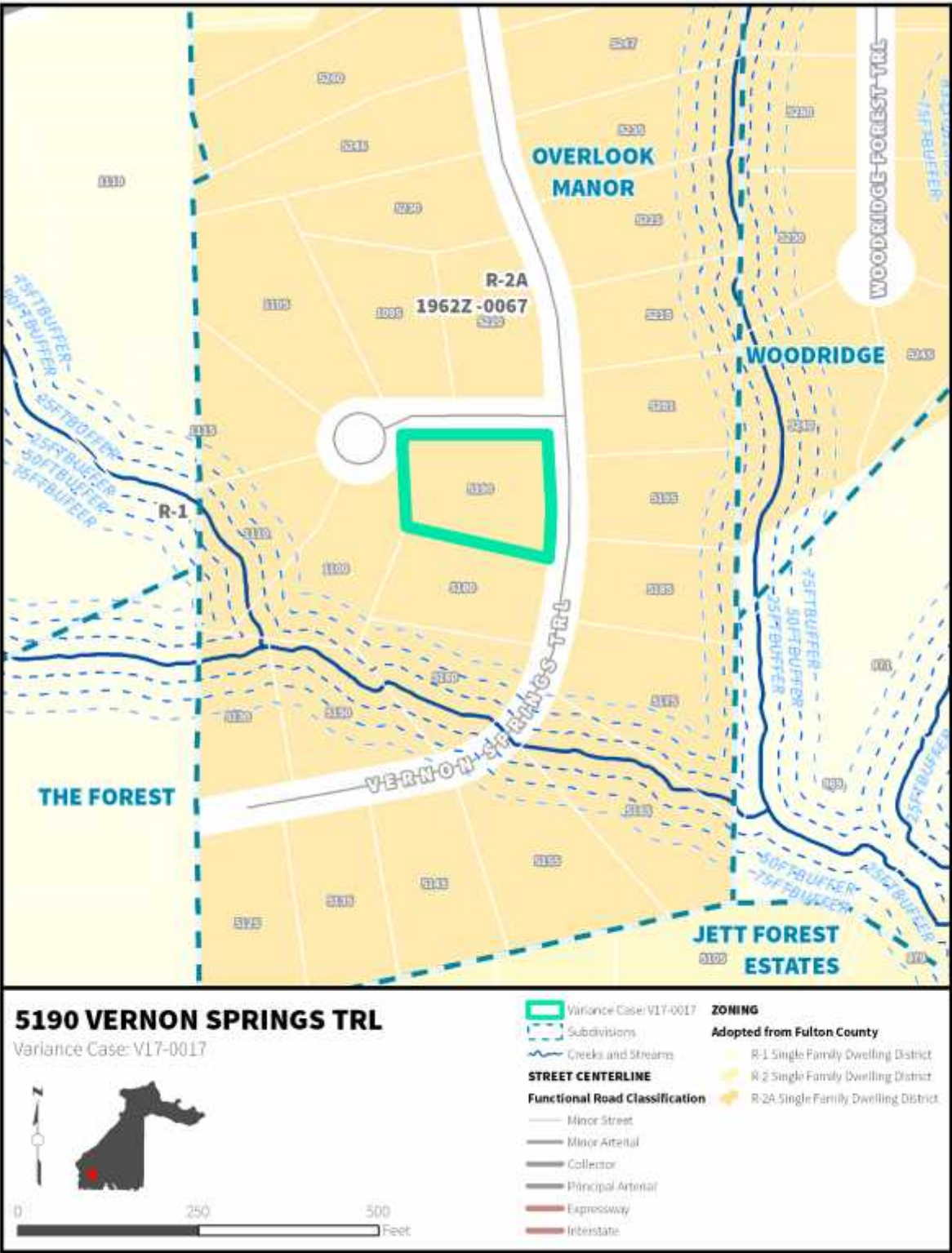
and a bathroom. The existing home was constructed in 1965 and is currently 9 feet from the rear property line and the addition would be constructed entirely within the existing foot print of the residence. The new construction and encroachment of the addition requires approval of a Variance. Due to topography, a drain pipe and dry ditch, the existing residential foot print was limited to the current location on the lot. The existing driveway extends from Vernon Springs Court and would continue to be used as access to the home.

RECOMMENDATION
Department of Community Development
Approval Conditional of the variance request

AERIAL IMAGE



ZONING MAP



VARIANCE CONSIDERATION

Per Section 22.3.1. of the Zoning Ordinance, variances, administrative variances, and concurrent variances shall only be granted upon showing that:

For new development (including the expansion of an existing development):

- 1. The application of the Zoning Ordinance would create an unnecessary hardship, and not merely an inconvenience to the petitioner; or*
- 2. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties;*

Further, the application shall demonstrate that:

- 3. Such conditions are not the result of action or inaction of the current property owner; and*
- 4. The variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and*
- 5. The variance request would result in development that is consistent with the general intent of the Zoning Ordinance, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety, and welfare.*

Request: (6.3.3.D.) *Request to allow an encroachment of 10 feet into the required forty (40) foot minimum rear yard setback to allow for the construction of a second-story home addition.*

Finding: The existing lot, house and accessory uses pre-date the City's Land Development requirements. The requested Variance would allow the applicant to construct a second-story addition that would encroach approximately 10 feet into the required 40-foot rear yard setback. It is noted that the new space would be built entirely within the existing footprint of the home. The home contains 3,449 square feet of floor area and the proposed addition consisting of two bedrooms and a bathroom would add 600 square feet of heated living space. Since the home predates the City by approximately 50 years, it is apparent that the existing home's current location and setbacks were determined by a significant slope, an existing drain pipe and dry ditch that crosses the lot. The addition of the second floor living space is relatively small and would not be expected to adversely impact the adjacent or nearby residences. The existing conditions are not the result of actions by the current owner and all of the proposed addition would be constructed within the existing footprint of the home. The Variance would allow minimum relief for the minor 600 square foot expansion and the planned expanded residence would be compatible within the subdivision. Approval of the Variance would be consistent with the general intent of the zoning ordinance and would not be expected to be detrimental to the public good, safety, and welfare. Therefore, staff recommends approval conditional of the Variance request.

*Staff recommends **APPROVAL CONDITIONAL***

COMMENTS FROM OTHER PARTIES

None received

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff has reviewed the request relative to the variance standards stated in Section 22.3.1 of the Zoning Ordinance, variances, administrative variances, and concurrent variances and based upon this review, staff recommends **APPROVAL CONDITIONAL** of variance request V17-0017 to allow the home addition within the 40-foot rear yard setback.

Should the Board of Appeals choose to approve the requests, staff recommends the following conditions:

1. To allow the second floor addition to encroach 10 feet into the required 40-foot rear yard setback, as shown on the submitted site plan dated January 12, 2017 and received by the Department of Community Development on February 07, 2017.
2. Obtain necessary permits from the Department of Community Development for the second story addition.
3. Minor revisions of the submitted site plan, as determined by the Department of Community Development, may be reviewed and approved by Staff. Any revision shall not include further encroachment of the use or structure.
4. A zoning inspection must be satisfactorily conducted and site conditions must adhere to all aforementioned conditions prior to issuance of a certificate of occupancy.
5. Prior to issuance of a certificate of occupancy, the applicant must provide an as-built survey.



VARIANCE APPLICATION

(Excludes Stream Buffer Variances)

Application checklist:

Page No.	Item	Completed/ Included in Submittal
1	Project Information Sheet	<input type="checkbox"/>
2 - 4	Detailed Process and Instructions	N/A
5 - 6	Authorization Forms	<input type="checkbox"/>
	Additional requirements:	
7	Letter of Intent	<input type="checkbox"/>
7	Variance Analysis	<input type="checkbox"/>
7	Chattahoochee River Corridor Certificate	<input type="checkbox"/> or N/A <input type="checkbox"/>
8-9	Survey, Site Plan and Legal Description	<input type="checkbox"/>
10	Fee schedule	N/A
10	Meeting schedule	N/A

Provide also:

All the documents electronically (CD/DVD, thumb drive or via email) Note: The Legal Description must be in a Word document	<input type="checkbox"/>
Site plan: one (1) copy on 11"x17" and two (2) full-scale copies	<input type="checkbox"/>

The Director reserves the right to request additional information deemed necessary to analyze the request. Incomplete applications will not be accepted.

Planner's initials: _____



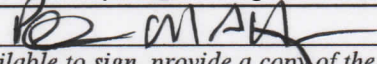
Case No.:

Planner's initials: _____

PROJECT INFORMATION SHEET

PROPERTY	Address(es): 5190 Vernon Springs Trail NW, Atlanta, GA 30327	
	Parcel Tax ID: 17 017500010457	
	Land Lot(s): 175	Land District(s): 17th
	Total acreage: 0.657 AC	Council district: 6
	Current zoning: R-2A	Current use: Residential
	Overlay district: n/a	Future land use: Residential

APPLICATION	Detailed request (include Ordinance/Code Section No.):	
	Request variance to reduce rear yard setback from 40' (required) to 31.3' (proposed), to allow for a second floor addition (Zoning Ordinance, Article VI, Section 6.3.3.D.)	
	Petitioner: Rick Bizot, Bizot Architects	
	Petitioner's address: 1077 Alta Avenue NE, Atlanta, GA 30307	
Phone: 404-954-2490	Email: rbizot@bizotarchitects.com	

OWNER	Property owner: Peter and Gillian Harper	
	Owner's address: 441 Marietta St., Atlanta, GA 30313	
	Phone: 310-349-9453	Email: gillian.harper@shelfgenie.com
	Signature (authorizing initiation of the process): 	
If the property is under contract and the owner is unavailable to sign, provide a copy of the contract		

- TO BE FILLED OUT BY P&Z STAFF -

Pre-application meeting date:	Anticipated application date:
Anticipated PC date: N/A <input type="checkbox"/>	Anticipated BOA date:
ADDITIONAL INFORMATION NEEDED:	

DETAILED PROCESS & INSTRUCTIONS

Legend: ☐ and o: action required by applicant
•: for information only

Before the pre-application meeting:

- ☐ Read this application packet in its entirety;
- ☐ Consult the Zoning Ordinance, the Development Regulations, and the Interim Development Guidelines:
<http://www.sandyspringsga.gov/city-services/urban-development/planning-and-zoning/>
- ☐ Fill out the Project Information Sheet in this application packet;
- ☐ Prepare a sketch plan of the proposed project (if applicable);
- ☐ Obtain written permission from the property owner to pursue the project. If the property is under contract, provide a copy of the contract at the pre-application meeting;
- ☐ Contact a planner at pz@sandyspringsga.gov, 770-730-5600 to schedule the meeting.

Pre-application meeting:

- ☐ The pre-application meeting must take place at least **two weeks** (but no more than two months) before the application filing date.

Filing:

- ☐ Contact the lead planner prior to coming to the office;
- ☐ Complete the rest of the application packet;
- ☐ Bring a check or credit card (5% surcharge) to pay the fee (verify the amount with the lead planner beforehand; see p.10);
- Applications are due by 4:00pm on the **first Tuesday** of each month;
- No more than five new applications will be accepted each month;
- Staff will initiate review and will send a confirmation letter, or ask for more information if needed (at which point the application may be placed on administrative hold);
- Staff will provide a sign to be posted on the property (\$25 fee).

Planning Commission (PC) Meeting:

- If the property is located in the Sandy Springs Overlay District (either Suburban or Main Street categories), and a variance is sought for relief from the overlay standards (Sec. 12B), the case will be heard by the Planning Commission for design review. The meeting procedure is similar to that of the BOA meeting, see below.

Before the Board of Appeals (BOA) Meeting:

- Any revision to the application is due at least **twenty-one days** prior to the BOA meeting (or PC if applicable), to allow time for proper revision by staff and legal advertisement;
- The staff report, including the recommendation, will be posted on the City website one week prior to the BOA meeting;
- Staff will publish a legal ad in the newspaper;
- ☐ Place sign(s) on site at least **fifteen days** prior to BOA meeting;
 - Send a date-stamped picture of the sign once in place to the lead planner

- | |
|---|
| <input type="checkbox"/> Send written notice to property owners within 500' at least fifteen days prior to the BOA meeting. P&Z will provide the contact info and a sample letter. |
| <u>Board of Appeals Meeting:</u> <ul style="list-style-type: none">• Staff will briefly introduce your request and present their recommendation.• You will have ten minutes to present your case to the BOA, including any supporters speaking in favor of your request. You may save any remaining time for rebuttal to the opposition.• The opposition will also have ten minutes to speak.• The Board members will discuss and render their decision. They may approve, approve with conditions, defer or deny the request. |

Sequence of events

See p.10 for meeting schedule

Regular variance

Responsible Party	Week (approx.)	Activity & Timeframe
Applicant	-2	Pre-application meeting: Between two weeks and two months prior to filing deadline
Applicant	0	Filing: Before 4:00pm, 1st Tuesday of the month
City	+1	Initial review and Initiation Letter: One week after the filing deadline
Applicant	+3	Revised application, if necessary: At least 21 days prior to BOA
Applicant & City	+2/+3	Advertising: At least 15 days prior to BOA (20 days for signs)
City	+4	Staff report production
City	+6	BOA meeting: 2 nd Thursday of the month
City	+7	Decision Letter: A few days after BOA (max. 7 days)

Variance with Design Review (within the Sandy Springs Overlay District)

Responsible Party	Week (approx.)	Activity & Timeframe
Applicant	-2	Pre-application meeting: Between two weeks and two months prior to filing deadline
Applicant	0	Filing: Before 4:00pm, 1st Tuesday of the month
City	+1	Initial review and Initiation Letter: One week after the filing deadline
Applicant	+3	Revised application, if necessary: At least 21 days prior to PC
City	+4	Staff report production
City	+6	PC meeting: 3 rd Thursday of the month
Applicant & City	+7/+8	Advertising: At least 15 days prior to BOA (20 days for signs)
City	+8	Staff report update
City	+10	BOA meeting: 2 nd Thursday of the month
City	+7	Decision Letter: A few days after BOA (max. 7 days)

Failure to complete any of these events within the above timeframe may result in an administrative hold, and the case being rescheduled to a future filing cycle.



AUTHORIZATION FORM – PART I

A- If the applicant is also the owner of the subject property:

Fill out the following section and have it notarize.

Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.	
Owner's name: Peter and Gillian Harper	Sworn and subscribed before me this
Address: 441 Marietta St.	<u>6</u> day of <u>February</u> 20 <u> </u>
City, State, Zip Code: Atlanta, GA 30313	Notary public: <i>Catherine R. Grist</i>
Email address: gillian.harper@sheltonie.com	Seal:
Phone number: 310-349-9453	
Owner's signature: <i>Peter Harper</i>	
	<div style="text-align: center;">Catherine R Grist NOTARY PUBLIC Fayette County, GEORGIA My Commission Expires March 26, 2019 Commission expires:</div>

B- If the applicant is *not* the owner of the subject property:

Fill out the following section, check the appropriate statement, and have it notarized.

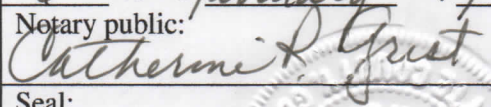

Applicant states under oath that:	
<input type="checkbox"/> He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner (<i>attach a copy of the contract</i>); or	
<input type="checkbox"/> He/she has an option to purchase the subject property (<i>attach a copy of the contract</i>); or	
<input type="checkbox"/> He/she has an estate of years which permits the applicant to apply (<i>attach a copy of the lease</i>)	
Applicant's name:	Sworn and subscribed before me this
Company name:	<u> </u> day of <u> </u> 20 <u> </u>
Address:	Notary public:
City, State, Zip Code:	Seal:
Email address:	
Phone number:	
Applicant's signature:	
	Commission expires:



AUTHORIZATION FORM – PART II

- C- If an agent or attorney will represent the owner and/or the applicant:
Fill out the following section and have it notarized.

Agent's name:	Rick Bizot
Company:	Bizot Architects
Address:	1077 Alta Avenue NE
City, State, Zip Code:	Atlanta, GA 30307
Email address:	rbizot@bizotarchitects.com
Phone number:	404-954-2490
Agent's signature:	
Applicant's signature:	

Sworn and subscribed before me this <u>6</u> day of <u>February</u> 20 <u>17</u>
Notary public: 
Seal: 
Catherine R Grist NOTARY PUBLIC Fayette County, GEORGIA My Commission Expires March 26, 2019
Commission expires:

ADDITIONAL REQUIREMENTS

Letter of Intent
Required for all cases
<p>Address the following in detail, on a separate sheet:</p> <ol style="list-style-type: none"> 1. Requested variance(s) 2. Factual details about the proposed development: <ul style="list-style-type: none"> • Number and size of buildings, square footage of gross floor area of nonresidential uses • Type and number of residential units, • Number of employees and customers, hours of operation, number of classrooms, etc. 3. Alternative designs explored: <ul style="list-style-type: none"> • Provide the details of alternative designs that could reduce the need for a variance; • Explain why the alternatives were rejected; • If no alternative was explored, explain why.

Variance Analysis (Sec. 22.3.1)
Required for all cases
<p>Explain in detail, on a separate sheet, and for <u>each</u> variance requested how:</p> <ol style="list-style-type: none"> a. The application of the Zoning Ordinance would create an unnecessary hardship, and not merely an inconvenience to the petitioner; <u>or</u> b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties; <p>Further, the application shall demonstrate that:</p> <ol style="list-style-type: none"> c. Such conditions are not the result of action or inaction of the current property owner; <u>and</u> d. The variance request would provide the minimum relief necessary to make possible the reasonable use of the property; <u>and</u> e. The variance request would result in development that is consistent with the general intent of the Zoning Ordinance, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare. <p>Note: The general purpose and intent of the Zoning Ordinance (Art.II, Sec.1) includes:</p> <ul style="list-style-type: none"> • Lessening congestion on the roads and streets; • Securing safety from fire, flood, and other dangers; providing adequate light and air; • Promoting the health and general welfare; • Encouraging such distribution of population and such classification of land uses and utilization as will facilitate economic and adequate provisions for transportation, communications, roads, airports, water supply, drainage, sanitation, education, recreation and other public requirements; • Promoting desirable living conditions; • Protecting property against blight and depreciation, • Encouraging the most appropriate use of land throughout the City of Sandy Springs.

Chattahoochee River Corridor Certificate
Required for properties located within the Chattahoochee River Corridor (within 2,000' of the river)
<p>Contact Michael Barnett, Chief Environmental Compliance Officer: (770) 206-1572 or mbarnett@sandyspringsga.gov</p>

Survey and Plan (Sec. 28.5.2)	
Required for all cases	
Provide one (1) copy printed on 11"x17" paper, and two (2) copies printed to scale no larger than 30"x42"; also include in electronic package.	
The survey and site plan must include, at a minimum, the following:	
Basic Information	<input type="checkbox"/> Legal description (metes and bounds; can be submitted as a separate document); <input type="checkbox"/> Key and/or legend, site location map with North arrow, and scale; <input type="checkbox"/> Boundary survey of the subject property which includes dimensions along property lines that match the metes and bounds of the subject property's written legal description and clearly indicates the point of beginning; <input type="checkbox"/> Acreage of subject property; <input type="checkbox"/> Location of subject property land lot lines and identification of land lots; <input type="checkbox"/> Current zoning of the subject site and adjoining properties; <input type="checkbox"/> Layout and minimum lot size of proposed single family residential lots; <input type="checkbox"/> Topography (surveyed or City) on the subject site and adjacent property within two hundred (200) feet as required to assess runoff effects; <input type="checkbox"/> Location of overhead and underground electrical and pipeline transmission/conveyance lines; <input type="checkbox"/> Required and/or proposed setbacks, zoning buffers and landscape strips; <input type="checkbox"/> Location of the requested variance(s) with dimensions;
Roads	<input type="checkbox"/> Existing and proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property; <input type="checkbox"/> Posted speed of existing streets; <input type="checkbox"/> Proposed streets on the subject site;
Improvements	<input type="checkbox"/> Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property; <input type="checkbox"/> Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on adjacent properties within four hundred (400) feet of the subject site based on the City's aerial photography or an acceptable substitute as approved by the Director; <input type="checkbox"/> Location of proposed buildings with total square footage; Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed; <input type="checkbox"/> Required and proposed parking spaces; and loading and unloading facilities; <input type="checkbox"/> Development Statistics Summary Chart, with % of total site coverage: <ul style="list-style-type: none"> ○ Total area of site (acres and sq. ft) ○ Building footprints (sq. ft and %) ○ Parking spaces provided (number and %) ○ Total impervious surface (sq. ft and %) ○ Landscaping (sq. ft and %) ○ Undisturbed area, excluding landscaping (sq. ft and %) ○ Floodplain (acres or sq. ft and %)

Environmental	<input type="checkbox"/> 100 year flood plain horizontal limits and flood zone designations as shown on survey or Federal Emergency Management Agency Flood Insurance Rate Maps; <input type="checkbox"/> Lakes, streams, and waters on the subject site and associated buffers; <input type="checkbox"/> Proposed stormwater management facilities; <input type="checkbox"/> Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access; <input type="checkbox"/> Availability of water system and sanitary sewer system; <input type="checkbox"/> Tree lines, woodlands and open fields on the subject site; <input type="checkbox"/> Wetlands shown on the GIS maps or survey.
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FEE SCHEDULE

Item	Fee
Variance for property zoned: R-1, R-2, R-2A, R-3, R-3A, R-4, R4-A, R-5, R-5A, NUP, CUP, MHP	\$250 for first + \$50/additional request
Variance for property zoned: AG-1, R-6, TR, A, A-L, O-I, C-1, C-2, M-1A, M-1, M-2, MIX and nonresidential uses in a residential district	\$350 for first + \$100/additional request
Sign variance (all zoning districts)	\$300 for first + \$100/additional request
Revision to application	\$150 each submittal
Public Notice Sign	\$25 each

MEETING SCHEDULE

Filing Deadline (1st Tuesday)	Planning Commission Meeting (3rd Thursday) <i>If applicable</i>	Sign Posting Deadline	Board of Appeals Meeting (2nd Thursday)
1/5/2016	N/A	1/22/2016	2/11/2016
1/5/2016	2/18/2016	2/19/2016	3/10/2016
2/2/2016	N/A	2/19/2016	3/10/2016
2/2/2016	3/17/2016	3/25/2016	4/14/2016
3/1/2016	N/A	3/25/2016	4/14/2016
3/1/2016	4/21/2016	4/22/2016	5/12/2016
4/5/2016	N/A	4/22/2016	5/12/2016
4/5/2016	5/19/2016	5/20/2016	6/9/2016
5/3/2016	N/A	5/20/2016	6/9/2016
5/3/2016	6/16/2016	6/24/2016	7/14/2016
6/7/2016	N/A	6/24/2016	7/14/2016
6/7/2016	7/21/2016	7/22/2016	8/11/2016
7/5/2016	N/A	7/28/2016	8/11/2016
7/5/2016	8/18/2016	8/25/2016	9/8/2016
8/2/2016	N/A	8/25/2016	9/8/2016
8/2/2016	9/15/2016	9/29/2016	10/13/2016
9/6/2016	N/A	9/29/2016	10/13/2016
9/6/2016	10/20/2016	10/27/2016	11/10/2016
10/4/2016	N/A	10/27/2016	11/10/2016
10/4/2016	11/17/2016	11/23/2016*	12/8/2016
11/1/2016	N/A	11/23/2016*	12/8/2016
11/1/2016	12/15/2016	12/22/2016	1/12/2017
12/6/2016	N/A	12/22/2016	1/12/2017
12/6/2016	1/19/2017	1/26/2017	2/9/2017

* Deadline moved one day earlier due to holiday

February 7, 2017

City of Sandy Springs
Planning and Zoning Department
7840 Roswell Road
Sandy Springs, GA 30350

RE: 5190 Vernon Springs Trail NW, Atlanta, GA 30327
Variance Request Letter of Intent

Dear Sandy Springs Planning and Zoning Department:

With the attached application, we are requesting a variance to reduce the rear yard setback from 40' (required) to 31.3' (proposed) to allow for a small second story addition to an existing single-family residence.

The existing house, built in 1965 per Fulton County Tax Assessor records, is a single-family residence with an attached garage. The house has a main living level with 1,855 SF and a lower level (walk-out basement) with 1,594 SF; total current floor area is 3,449 SF. The house is a well-designed and well-preserved example of Contemporary Style architecture, with stone piers, strong horizontal lines and broad roof overhangs. Due to the site topography, the house was originally sited much closer to the rear property line than would otherwise have been the case: the existing rear yard setback is 9.1'.

The proposed renovation work has been designed to complement and enhance the existing architectural design. It includes interior renovations, wood deck addition and a new second floor addition (600 SF) containing two bedrooms and a bathroom, to make the house suitable for a family with small children. The proposed second floor addition is within the footprint of the existing structure, and in fact is set 22.2' further back from the property line than the existing structure. Due to the original siting of the house, however, the proposed second floor addition is partially within the rear yard setback.

During the design process, we explored alternative designs that could reduce the need for a variance. However, these alternative designs were rejected for the reasons as follows.

Alternative 1: Second floor addition above the existing living room. Due to the higher ceiling in the living room, the floor-to-floor height for a second floor above would be impractical, especially for use as children's bedrooms as intended. The resulting architectural massing and treatment would also be incompatible with the original character of the house by creating a vertical stacked element with incompatible massing, scale and proportions.

Alternative 2: Second floor addition above the full width of the proposed Dining Room / Kitchen area. This alternative resulted in a roughly square second floor addition whose walls would be directly above the exterior walls of the first floor below. As such, it would give an unbalanced and boxy appearance wholly at odds with the current design of cascading rectangular forms.

The proposed design for a small second story addition is a compatibly proportioned rectangular form, set back from the exterior walls on two sides, thus preserving and enhancing the architectural character of the existing house.

We request approval of this rear yard setback variance application, to allow a second floor addition that is complementary to the scale and character of the existing house. Please let us know if there are any questions or if additional information is needed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Bizot", with a stylized, flowing script.

Rick Bizot, AIA

Variance Analysis - 5190 Vernon Springs Trail NW, Atlanta, GA 30327

- a) *The application of the Zoning Ordinance would create an unnecessary hardship, and not merely an inconvenience to the petitioner; or*
- b) *There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties;*

Response to b): There are extraordinary and exceptional conditions due to the topography which are specific to the subject property and not generally found in similar properties. A steep ravine runs diagonally through the property, which resulted in the house being built much further back on its lot than the neighboring houses (see attached map). The rear yard setback for the existing structure is 9.1'. It should also be noted that the rear yard of this property primarily abuts a street cul-de-sac rather than a neighbor's usable yard area. Please see property survey for details regarding existing site topography and setbacks.

- c) *Such conditions are not the result of action or inaction of the current property owner; and*

The topography and house configuration on the site appear to be original to the development of the property in 1965 and have not been changed by the current property owner.

- d) *The variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and*

As described in the Letter of Intent, alternative designs to reduce the need for a variance were explored, but these alternative designs were rejected as impractical and/or incompatible with the design character of the existing house. The owners believe that reasonable use of the property includes a compatibly designed addition, well within the height limits, to accommodate their growing family with suitably located and arranged bedrooms for young children.

- e) *The variance request would result in development that is consistent with the general intent of the Zoning Ordinance, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.*

The variance request, if granted, would allow for a reasonable addition to a single-family residential property to suit the needs of the current owners, consistent with the general intent of the Zoning Ordinance and Comprehensive Plan. Relief, if granted, will not detract from the neighbors' use and enjoyment of adjoining and surrounding properties. The proposed plan allows for adequate air and light for neighboring properties and will not impact them in any negative way. We believe that the proposed improvements are in keeping with the orderly evolution of this neighborhood and will promote desirable living conditions for the owners and the neighborhood.

FLOOD STATEMENT

I HAVE EXAMINED THE OFFICIAL FLOOD HAZARD MAP AND FOUND THAT BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY LIES IN A FLOOD HAZARD AREA ACCORDING TO FEMA FIRM MAP 13121C0143 F, DATED 9/18/2013

STATE WATERS NOTE:

NO STATE WATERS PRESENT WITHIN 200 FEET OF PROJECT SITE.

ZONED: R-2A

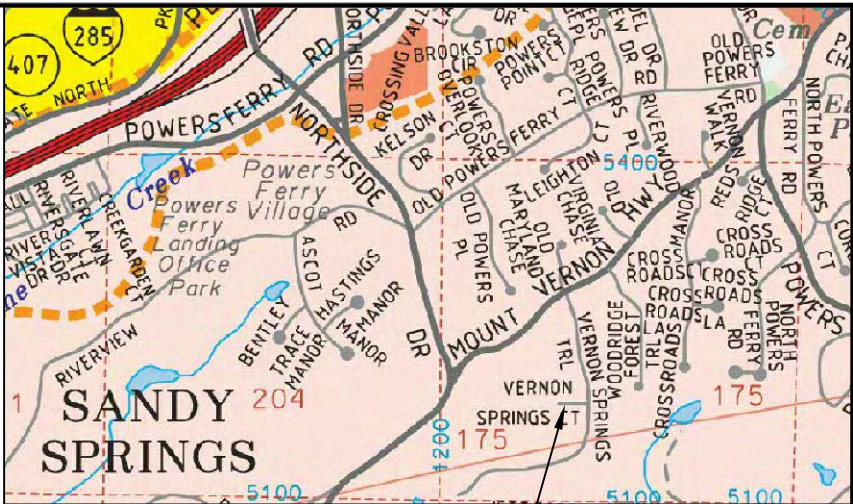
LOT AREA:

MAX. HEIGHT=40'
FRONT: 60'
CORNER: 30'
SIDE: 15'
REAR: 40'

ZONING SHOWN IS SUBJECT TO THE CITY OF SANDY SPRINGS ZONING DEPARTMENT'S RULES & REGULATIONS

SURVEY NOTES:

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, THE VARIOUS UTILITY COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FIELD LOCATIONS. EASEMENTS AS SHOWN ARE APPROXIMATE.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.



VICINITY MAP



LEGEND

- POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
IPS IRON PIN SET
IPF IRON PIN FOUND
OT OPEN TOP PIN
CT CRIMP TOP PIN
RB REINFORCING BAR
CL CENTERLINE
R/W RIGHT-OF-WAY
LL LAND LOT
L LINE
R RADIUS
CONC CONCRETE
C CURVE
PP POWER POLE
WM WATER METER
EM ELEC. METER
GM GAS METER
LP LAMP POLE
SS SANITARY SEWER
N&C NAIL & CAP
FFE FIN. FLOOR ELEV.
-X-X- FENCE

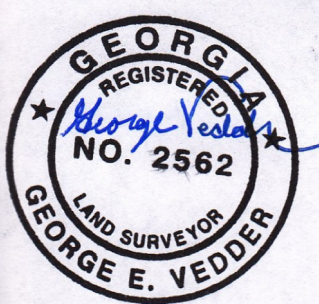
S02°32'14"E
CH=139.39
ARC=139.50
R=1027.20

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DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

The survey shown hereon was prepared without the benefit of an abstract of title; therefore, the undersigned and Vedder Surveys, Inc., make no guarantees or representations regarding information shown hereon pertaining to easements, right-of-way, setback lines, agreements, reservations, and other similar matters.

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act.



VEDDER SURVEYS & ASSOCIATES

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TELEPHONE (678) 544-2585
GEORGE@VEDDERSURVEY.COM

The field data upon which this plat is based has a closure of 1 foot in 10,000± feet, an angular error of 03 seconds per angle and was adjusted using the Least Squares Method. This plat has been calculated for closure and found to be accurate to 1 foot in 100,000± feet. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat. All matters pertaining to title are excepted.

REFERENCE DEED:
56,810, PG. 487

REVISED TO SHOW CORRECT
REAR BUFFER >>>

PLAT DATE: 11/30/2016
SURVEY DATE: 11/28/2016

REVISED DATE: 01/12/2017

FULTON COUNTY, GEORGIA
SCALE: 1"=20'

SURVEY ASBUILT FOR:
GILLIAN & PETER HARPER
ADDRESS: 5190 VERNON SPRINGS TRL.
LAND LOT 175 OF THE 17 TH DISTRICT FULTON CO. GA.
LOT 5 BLOCK B UNIT:
OVERLOOK MANOR, PB 79, PG. 81 SCALE: 1"=20'
LOCATED IN THE CITY OF SANDY SPRINGS, GA.

